

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re: New York City Policing During Summer : ORDER
2020 Demonstrations : 20 Civ. 8924 (CM) (GWG)

This filing is related to :

ALL CASES:

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GABRIEL W. GORENSTEIN, United States Magistrate Judge

The Court has reviewed the letters docketed as ## 242 and 251.

Regarding the body worn camera metadata and audit trail logs, there is a factual dispute as to the burden of producing what the plaintiffs seek. It is unclear what grounds the plaintiffs have for countering the defendants' claim as to burden. And the Court has no basis for resolving that dispute on the current record anyway. The parties are directed to confer again on this matter. The defendants should be prepared to answer during the phone call all reasonable questions regarding the specific burdens they assert. To this end, the defendants are encouraged to allow an individual with expertise to participate in the call. If agreement cannot be reached, the dispute may be presented again in the form of a joint letter. It is recommended that the parties attach to any such joint letter a sworn statement from an individual with knowledge of the specific burdens at issue.

As to the request for the helmet index, defendants must choose one of these options: (1) respond to any inquiry regarding helmet numbers within one business day or (2) provide the index under a confidentiality order. As to the second option, it would be acceptable to have the information provided to two of plaintiffs' attorneys, who would have the responsibility to respond to requests from their colleagues and who would undertake to safeguard (and not to otherwise distribute) the index.

In light of this ruling (and of the ruling in Docket # 247), the discovery conference scheduled for Tuesday, August 31, 2021, at 10:30 a.m. is cancelled.

SO ORDERED.

Dated: August 30, 2021
New York, New York


GABRIEL W. GORENSTEIN
United States Magistrate Judge